

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

**STEVEN SMITH,**

**Plaintiff,**

v.

**UNITED STATES OF AMERICA; and  
U.S. DEPARTMENT OF TRANSPORTATION**

**Defendants.**

**Case No. 6:22-cv-00732-MK  
ORDER**

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MCSHANE, Judge:

Magistrate Judge Mustafa T. Kasubhai filed a Findings and Recommendation (ECF No. 88), and the matter is now before the Court on Plaintiff's objections. *See* 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). The Court reviews *de novo*. *United States v. Bernhardt*, 840 F.2d 1441, 1445 (9th Cir. 1998). The Court finds no error and concludes that the report is correct.

Judge Kasubhai's Findings and Recommendation (ECF No. 88) is adopted in full. Plaintiff's Partial Motion for Summary Judgment (ECF No. 69) is DENIED.

IT IS SO ORDERED.

DATED this 27th day of June, 2024.

s/Michael J. McShane  
Michael McShane  
United States District Judge